

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

STEPHON LINDSAY,)	
AIS #207044,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:07-CV-399-MHT
)	
RICHARD ALLEN, et al.,)	
)	
Defendants.)	

O R D E R

In his complaint, the plaintiff names nurse Ethen as a defendant. Service was attempted but unperfected on nurse Ethen as this individual was no longer at the address provided by the plaintiff. If a person has not been served, he/she is not a party to this lawsuit except in very unusual circumstances. Consequently, in order to maintain litigation against nurse Ethen, the plaintiff must furnish the clerk's office with a correct address for this individual. Accordingly, it is

ORDERED that on or before July 16, 2007 the plaintiff shall furnish the clerk's office with the correct address of nurse Ethen. **The plaintiff is advised that the court will not continue to monitor this case to ensure that the defendant(s) he wishes to sue have been served.** This is the plaintiff's responsibility. Moreover, the plaintiff is specifically cautioned that if service is not perfected on nurse Ethen he/she will not be considered a party to this cause of action, the court will on its own initiative dismiss the claims against nurse Ethen and this case will proceed only against the defendants on whom service has

been perfected. *See* Rule 4(m), *Federal Rules of Civil Procedure*.

Done this 27th day of June, 2007.

/s/ Wallace Capel, Jr.

WALLACE CAPEL, JR.

UNITED STATES MAGISTRATE JUDGE